

(2) Submit subsequent reports monthly and immediately whenever information submitted in previous reports changes until the damaged structure or equipment is returned to service. In the final report, you must provide the date the item was returned to service.

§ 250.193 Reports and investigations of apparent violations.

Any person may report to BSEE an apparent violation or failure to comply with any provision of the Act, any provision of a lease, license, or permit issued under the Act, or any provision of any regulation or order issued under the Act. When BSEE receives a report of an apparent violation, or when a BSEE employee detects an apparent violation after making an initial determination of the validity, BSEE will investigate according to BSEE procedures.

§ 250.194 How must I protect archaeological resources?

(a)-(b) [Reserved]

(c) If you discover any archaeological resource while conducting operations in the lease or right-of-way area, you must immediately halt operations within the area of the discovery and report the discovery to the BSEE Regional Director. If investigations determine that the resource is significant, the Regional Director will tell you how to protect it.

§ 250.195 What notification does BSEE require on the production status of wells?

You must notify the appropriate BSEE District Manager when you successfully complete or recomplete a well for production. You must:

(a) Notify the District Manager within 5 working days of placing the well in a production status. You must confirm oral notification by telefax or e-mail within those 5 working days.

(b) Provide the following information in your notification:

- (1) Lessee or operator name;
- (2) Well number, lease number, and OCS area and block designations;
- (3) Date you placed the well on production (indicate whether or not this is first production on the lease);

- (4) Type of production; and
- (5) Measured depth of the production interval.

§ 250.196 Reimbursements for reproduction and processing costs.

(a) BSEE will reimburse you for costs of reproducing data and information that the Regional Director requests if:

(1) You deliver geophysical and geological (G&G) data and information to BSEE for the Regional Director to inspect or select and retain;

(2) BSEE receives your request for reimbursement and the Regional Director determines that the requested reimbursement is proper; and

(3) The cost is at your lowest rate or at the lowest commercial rate established in the area, whichever is less.

(b) BSEE will reimburse you for the costs of processing geophysical information (that does not include cost of data acquisition):

(1) If, at the request of the Regional Director, you processed the geophysical data or information in a form or manner other than that used in the normal conduct of business; or

(2) If you collected the information under a permit that BSEE issued to you before October 1, 1985, and the Regional Director requests and retains the information.

(c) When you request reimbursement, you must identify reproduction and processing costs separately from acquisition costs.

(d) BSEE will not reimburse you for data acquisition costs or for the costs of analyzing or processing geological information or interpreting geological or geophysical information.

§ 250.197 Data and information to be made available to the public or for limited inspection.

BSEE will protect data and information that you submit under this part, and 30 CFR part 203, as described in this section. Paragraphs (a) and (b) of this section describe what data and information will be made available to the public without the consent of the lessee, under what circumstances, and in what time period. Paragraph (c) of this section describes what data and information will be made available for limited inspection without the consent of

§ 250.197

30 CFR Ch. II (7–1–12 Edition)

the lessee, and under what circumstances. able to the public upon submission, except as specified in the following table:

(a) All data and information you submit on BSEE forms will be made avail-

On form . . .	Data and information not immediately available are . . .	Excepted data will be made available . . .
(1) BSEE–0123, Application for Permit to Drill,	Items 15, 16, 22 through 25,	When the well goes on production or according to the table in paragraph (b) of this section, whichever is earlier.
(2) BSEE–0123S, Supplemental APD Information Sheet,	Items 3, 7, 8, 15 and 17,	When the well goes on production or according to the table in paragraph (b) of this section, whichever is earlier.
(3) BSEE–0124, Application for Permit to Modify,	Item 17,	When the well goes on production or according to the table in paragraph (b) of this section, whichever is earlier.
(4) BSEE–0125, End of Operations Report,	Items 12, 13, 17, 21, 22, 26 through 38,	When the well goes on production or according to the table in paragraph (b) of this section, whichever is earlier. However, items 33 through 38 will not be released when the well goes on production unless the period of time in the table in paragraph (b) has expired.
(5) BSEE–0126, Well Potential Test Report,	Item 101,	2 years after you submit it.
(6) [Reserved]	Item 10 Fields [WELLBORE START DATE, TD DATE, OP STATUS, END DATE, MD, TVD, AND MW PPG]. Item 11 Fields [WELLBORE START DATE, TD DATE, PLUGBACK DATE, FINAL MD, AND FINAL TVD] and Items 12 through 15,	When the well goes on production or according to the table in paragraph (b) of this section, whichever is earlier.
(7) BSEE–0133 Well Activity Report,		
(8) BSEE–0133S Open Hole Data Report,	Boxes 7 and 8,	When the well goes on production or according to the table in paragraph (b) of this section, whichever is earlier.
(9) [Reserved]		
(10) [Reserved]		

(b) BSEE will release lease and permit data and information that you submit and BSEE retains, but that are not normally submitted on BSEE forms, according to the following table:

If . . .	BSEE will release . . .	At this time . . .	Special provisions . . .
(1) The Director determines that data and information are needed for specific scientific or research purposes for the Government,	Geophysical data, Geological data Interpreted G&G information, Processed G&G information, Analyzed geological information,	At any time,	BSEE will release data and information only if release would further the National interest without unduly damaging the competitive position of the lessee.
(2) Data or information is collected with high-resolution systems (e.g., bathymetry, side-scan sonar, subbottom profiler, and magnetometer) to comply with safety or environmental protection requirements,	Geophysical data, Geological data, Interpreted G&G information, Processed geological information, Analyzed geological information,	60 days after BSEE receives the data or information, if the Regional Supervisor deems it necessary,	BSEE will release the data and information earlier than 60 days if the Regional Supervisor determines it is needed by affected States to make decisions under 30 CFR 550, subpart B. The Regional Supervisor will reconsider earlier release if you satisfy him/her that it would unduly damage your competitive position.

Safety & Environmental Enforcement, Interior

§ 250.197

If . . .	BSEE will release . . .	At this time . . .	Special provisions . . .
(3) Your lease is no longer in effect,	Geophysical data, Geological data, Processed G&G information, Interpreted G&G information, Analyzed geological information,	When your lease terminates,	This release time applies only if the provisions in this table governing high-resolution systems and the provisions in 30 CFR 552.7 do not apply. The release time applies to the geophysical data and information only if acquired postlease for a lessee's exclusive use.
(4) Your lease is still in effect,	Geophysical data, Processed geophysical information, Interpreted G&G information,	10 years after you submit the data and information,	This release time applies only if the provisions in this table governing high-resolution systems and the provisions in 30 CFR 552.7 do not apply. This release time applies to the geophysical data and information only if acquired postlease for a lessee's exclusive use.
(5) Your lease is still in effect and within the primary term specified in the lease,	Geological data, Analyzed geological information,	2 years after the required submittal date or 60 days after a lease sale if any portion of an offered lease is within 50 miles of a well, whichever is later,	These release times apply only if the provisions in this table governing high-resolution systems and the provisions in 30 CFR 552.7 do not apply. If the primary term specified in the lease is extended under the heading of "Suspensions" in this subpart, the extension applies to this provision.
(6) Your lease is in effect and beyond the primary term specified in the lease,	Geological data, Analyzed geological information,	2 years after the required submittal date,	None.
(7) Data or information is submitted on well operations,	Descriptions of downhole locations, operations, and equipment,	When the well goes on production or when geological data is released according to §§ 250.197(b)(5) and (b)(6), whichever occurs earlier,	Directional survey data may be released earlier to the owner of an adjacent lease according to Subpart D of this part.
(8) Data and information are obtained from beneath unleased land as a result of a well deviation that has not been approved by the District Manager or Regional Supervisor,	Any data or information obtained,	At any time,	None.
(9) Except for high-resolution data and information released under paragraph (b)(2) of this section data and information acquired by a permit under 30 CFR part 551 are submitted by a lessee under 30 CFR part 203, 30 CFR part 250, or 30 CFR part 550,	G&G data, analyzed geological information, processed and interpreted G&G information,	Geological data and information: 10 years after BOEM issues the permit; Geophysical data: 50 years after BOEM issues the permit; Geophysical information: 25 years after BOEM issues the permit,	None.

(c) BSEE may allow limited inspection, but only by persons with a direct interest in related BSEE decisions and issues in specific geographic areas, and who agree in writing to its confidentiality, of G&G data and information submitted under this part or 30 CFR part 203 that BSEE uses to:

- (1) Make unitization determinations on two or more leases;
- (2) Make competitive reservoir determinations;
- (3) Ensure proper plans of development for competitive reservoirs;
- (4) Promote operational safety;
- (5) Protect the environment;
- (6) [Reserved]; or

§ 250.198

30 CFR Ch. II (7–1–12 Edition)

(7) Determine eligibility for royalty relief.

REFERENCES

§ 250.198 Documents incorporated by reference.

(a) The BSEE is incorporating by reference the documents listed in paragraphs (e) through (k) of this section. Paragraphs (e) through (k) identify the publishing organization of the documents, the address and phone number where you may obtain these documents, and the documents incorporated by reference. The Director of the Federal Register has approved the incorporations by reference according to 5 U.S.C. 552(a) and 1 CFR part 51.

(1) Incorporation by reference of a document is limited to the edition of the publication that is cited in this section. Future amendments or revisions of the document are not included. The BSEE will publish any changes to a document in the FEDERAL REGISTER and amend this section.

(2) The BSEE may make the rule amending the document effective without prior opportunity for public comment when BSEE determines:

(i) That the revisions to a document result in safety improvements or represent new industry standard technology and do not impose undue costs on the affected parties; and

(ii) The BSEE meets the requirements for making a rule immediately effective under 5 U.S.C. 553.

(3) The effect of incorporation by reference of a document into the regulations in this part is that the incorporated document is a requirement. When a section in this part incorporates all of a document, you are responsible for complying with the provisions of that entire document, except to the extent that section provides otherwise. When a section in this part incorporates part of a document, you are responsible for complying with that part of the document as provided in that section. If any incorporated document uses the word *should*, it means *must* for purposes of these regulations.

(b) The BSEE incorporated each document or specific portion by reference in the sections noted. The entire document is incorporated by reference, un-

less the text of the corresponding sections in this part calls for compliance with specific portions of the listed documents. In each instance, the applicable document is the specific edition or specific edition and supplement or addendum cited in this section.

(c) Under §§ 250.141 and 250.142, you may comply with a later edition of a specific document incorporated by reference, provided:

(1) You show that complying with the later edition provides a degree of protection, safety, or performance equal to or better than would be achieved by compliance with the listed edition; and

(2) You obtain the prior written approval for alternative compliance from the authorized BSEE official.

(d) You may inspect these documents at the Bureau of Safety and Environmental Enforcement, 381 Elden Street, Room 3313, Herndon, Virginia 20170; phone: 703-787-1587; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.htm.

(e) American Concrete Institute (ACI), ACI Standards, P. O. Box 9094, Farmington Hill, MI 48333-9094; <http://www.concrete.org>; phone: 248-848-3700:

(1) ACI Standard 318-95, Building Code Requirements for Reinforced Concrete (ACI 318-95), incorporated by reference at § 250.901.

(2) ACI 318R-95, Commentary on Building Code Requirements for Reinforced Concrete, incorporated by reference at § 250.901.

(3) ACI 357R-84, Guide for the Design and Construction of Fixed Offshore Concrete Structures, 1984; reapproved 1997, incorporated by reference at § 250.901.

(f) American Institute of Steel Construction, Inc. (AISC), AISC Standards, One East Wacker Drive, Suite 700, Chicago, IL 60601-1802; <http://www.aisc.org>; phone: 312-670-2400:

(1) ANSI/AISC 360-05, Specification for Structural Steel Buildings incorporated by reference at § 250.901.

(2) [Reserved]

(g) American National Standards Institute (ANSI), ANSI/ASME Codes,